A.K. Basheer, J.

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W.P(C) No.21525 of 2007

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Dated this the 12th day of July, 2007.

J U D G M E N T

Petitioner is stated to be the Manager of an aided L.P.School. It appears that petitioner has placed respondent No.6 under suspension on the allegation that he had remained absent unauthorisedly. Anyhow it is on record that respondent No.6 was reinstated in service in the year 1999. Ext.P13 order has now been passed by respondent No.4 directing the Manager to regularise the period of suspension of respondent No.6 and to treat it as duty. It is on record that petitioner has challenged the said order before respondent No.5. Ext.P14 is stated to the copy of the memorandum of appeal preferred by the petitioner. The limited prayer is to issue a direction to respondent No.5 to take a decision on the appeal immediately.

Though the petitioner has prayed for issuance of a writ of certiorari to quash Ext.P13 also, learned counsel submits that petitioner will be satisfied if a direction is issued to the appellate authority to take a decision on Ext.P14 appeal expeditiously.

Learned Govt. Pleader submits that if Ext.P14 has been preferred as contended by the petitioner, a decision thereon will be taken without any delay.

In the above facts and circumstances the writ petition is disposed of with a direction to respondent No.5 to consider and pass orders on Ext.P14 strictly on its merit and in accordance with law, as expeditiously as possible, at any rate within two months from the date of receipt of a copy of this judgment. Needless to mention that

the petitioner shall be afforded sufficient opportunity to be heard before any orders are passed.

Petitioner shall produce a certified copy of the judgment along with a copy of the writ petition before respondent No.5 for compliance.

A.K. Basheer
Judge.

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A.K. Basheer, J.

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W.P(C) No.21525 of 2007

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Dated this the 12th day of July, 2007.

J U D G M E N T

Petitioner is stated to be the Manager of an aided Lower Primary School. It appears that petitioner has placed respondent No.6 under suspension on the allegation that he had remained absent unauthorisedly. Anyhow it is not in dispute that respondent No.6 was reinstated in service in the year 1999. Ext.P13 order has now been passed by respondent No.4 directing the Manager to regularise the period of suspension of respondent No.6 and to treat it as duty.

2. It is on record that the petitioner has challenged the above order before respondent No.5. Ext.P14 is stated to the copy of the memorandum of appeal preferred by the petitioner. The limited prayer is to issue a direction to respondent No.5 to take a decision on the appeal immediately.

3. Though the petitioner has prayed for issuance of a writ of certiorari to quash Ext.P13 also, learned counsel submits that petitioner will be satisfied if a direction is issued to the appellate authority to take a decision on Ext.P14 appeal expeditiously.

4. Learned Govt. Pleader submits that if Ext.P14 has been preferred as contended by the petitioner, a decision thereon will be taken without any delay.

5. In the above facts and circumstances the writ petition is disposed of with a direction to respondent No.5 to consider and pass orders on Ext.P14 strictly on its merit and in accordance with law, as expeditiously as possible, at any rate within two months from the

date of receipt of a copy of this judgment. Needless to mention that the petitioner and respondent No.6 shall be afforded sufficient opportunity to be heard before any orders are passed.

Petitioner shall produce a certified copy of the judgment along with a copy of the writ petition before respondent No.5 for compliance.

A.K. Basheer
Judge.

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